IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 32159 of 1997

Between:

Sangamitra Public School, rep. by Secretaey/Correspondent,
Smt.G.Arundati, W/o Ravi Kumar, R/o Kukkatpally, R.R.District.

..... PETITIONER

AND

Regional Transport Officer, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of certiorari and call for the entire records in MemoNo.2130/B2/C3/97, Dt.3-10-97 from the file of the Regional Transport Officer, Ranga Reddy District and quash the demand hereunder demanding payment of Rs.56,755/- purporting to be the difference of tax as contract carriage for the quarter ending 30-6-1997 on the petitioner's School Bus bearing Registration No.ATT-4011 as arbitrary mala-fide, illegal and without jurisdiction and issue any other appropriate writ, order or direction and grant such other necessary reliefs.

Counsel for the Petitioner:MR.K.N.JWALA

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

It is submitted that the matter is covered by a Larger Bench judgment of this Court reported in ***L.Royal Reddy and others v. Government of Andhra Pradesh***.

Following the same, the impugned demand notice is quashed. However, the respondent is at liberty to proceed against the petitioner, in accordance with law, if so chooses.

The writ petition is accordingly allowed. No order as to costs.

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(BILAL NAZKI, J)

1st November, 2004.

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(S.ANANDA REDDY, J)

vrn

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Monday, the first day of November, Two Thousand and Four.

To

1 The Regional Transport Officer, Ranga Reddy District.

2 Two C.Cs to the Government Pleader for Transport,

High Court of A.P, Hyderabad (OUT)

3 Two C.D copies